

## **REMARKS**

Applicants respectfully request reconsideration of this application as amended.

Claims 1-4, 6-7, 10-12 and 20-22 have been amended to present the claims in better form for allowance and for possible consideration on appeal. Applicants respectfully request the Examiner to accept the proposed amendments. Claims 5, 8-9, 13-19, and 23-28 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1-4, 6-7, 10-12 and 20-22 are presented for examination.

### **35 U.S.C. § 112 Rejection**

Claims 1-4, 6-7, 10-12, 20-23 and 25-26 are rejected under 35 U.S.C. §112, second paragraph, as failing to set forth the subject matter which applicant regards as their invention.

Claims 1, 10 and 20 have been amended. Applicants request the withdrawal of the rejection of claims 1, 10 and 20 and their dependent claims.

### **35 U.S.C. § 103 Rejection**

Claims 1-4, 6-7, 10-12, 20-23 and 25-26 are newly rejected under 35 U.S.C. §103(a), as being obvious over Margolus, U.S. Publication No. 2004/0143743 (“Margolus”) in view of Chan, U.S. Patent No. 6,748,538 (“Chan”) and Bolosky, U.S. Publication No. 2002/0194484 (“Bolosky”).

Claim 1, as amended, recites:

A message comprising:  
generating client message digests corresponding to client files, each client message digest corresponding to each client file on a client;

generating server message digests corresponding to server files, each server message digest corresponding to a server file on a server, wherein the server is coupled to the client over a network; prior to synchronizing the client files with the server files, matching client file contents from the client message digests with server file contents from the server message digest to determine whether the client files and the server files are to be synchronized; and synchronizing the client files and the server files, if the client file contents and the server file contents do not match.

(emphasis added)

Margolus discloses a “method by which *more than one client program connected to a network stores the same data item on a storage device* of a data repository connect to the network.” (Abstract; Paragraph 0010; emphasis provided). Margolus further discloses the “use [of] fingerprints to identify redundant data and avoid unnecessary transmission and storage of data . . .” (page 1, paragraph 0009; emphasis provided). The data is tested to determine “whether [it] is already stored in the repository, by comparing [the] digital fingerprints of the data items [with the] digital fingerprints of data items already in storage in the repository.” (page 2, paragraph 0011; emphasis provided). This is not the same as “prior to synchronizing the client files with the server files, matching client file contents . . . with server file contents . . . to determine whether the client files and the server files are to be synchronized; and synchronizing the client files and the server files, if the client file contents and the server file contents do not match” as recited by claim 1 (emphasis added).

Chan discloses executing “a hash function to produce the manifest and to verify integrity of the plurality of software components by re-computing digests of the plurality of software components and comparing the computed digests with the digests of the manifest.” (Abstract) Bolosky discloses providing “file authentication information to a

verifying machine without having to compute a new digital signature every time a written file is closed.” (Abstract) Margolus, Chan, and Bolosky, neither individually nor when combined, teach or reasonably suggest prior to synchronizing the client files with the server files, matching client file contents . . . with server file contents . . . to determine whether the client files and the server files are to be synchronized; and synchronizing the client files and the server files, if the client file contents and the server file contents do not match as recited by claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 10 and 20 include limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 10 and 20 and their dependent claims.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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